

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 587 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE J.N.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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NATVARLAL C JOSHI

Versus

LOK PRAKASHAN LTD

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Appearance:

MR VM DHOTRE for Petitioner

MR PM THAKKAR for Respondent No. 1

MR D A BHAMBHANIA, Addl. Govt. Pleader for Respondent No. 2

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CORAM : MR.JUSTICE J.N.BHATT

Date of decision: 18/10/96

ORAL JUDGEMENT

When the matter was called out, learned counsel for the petitioner and learned counsel for respondent No.1 and learned Addl. Government pleader Mr. Bhambhanian jointly and rightly pointed out that in view of long drawn battle

and past chequered history of litigation due to technicality, the Additional Labour Commissioner is required to be directed to issue a separate notification with regard to the industrial dispute e raised by the petitioner under Section 10 (1) of the Industrial Disputes Act,1947.

In light of the aforesaid consensus reached by the learned counsel for the parties and considering the facts of the case and the earlier directions given by this court in Special Civil Application No. 8557 of 1989 the concerned Additional Labour Commissioner is directed to consider and decide to issue separate notification for reference to appropriate court.

Since the matter is very old and it has travelled through long legal conduit pipe due to procedural aspects, the Additional Labour Commissioner is directed to decide the same within a period of one month from the date of receipt of writ from this court and the concerned Industrial Court obviously shall accord priority in view of the facts and special circumstances emerging from the record of the present case. In view of the aforesaid facts and circumstances, Rule is made absolute to the aforesaid extent with no order as to costs.

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